

A PROPOSAL BY
MONTANA FISH, WILDLIFE & PARKS
TO PURCHASE AN INTEREST IN WILDLIFE HABITAT NORTH OF DRUMMOND,
MONTANA, TO BE KNOWN AS THE

***STURGEON AND KING MOUNTAIN
CONSERVATION EASEMENT
and
DOUGLAS CREEK WMA ACQUISITION***
(Powell Co.)

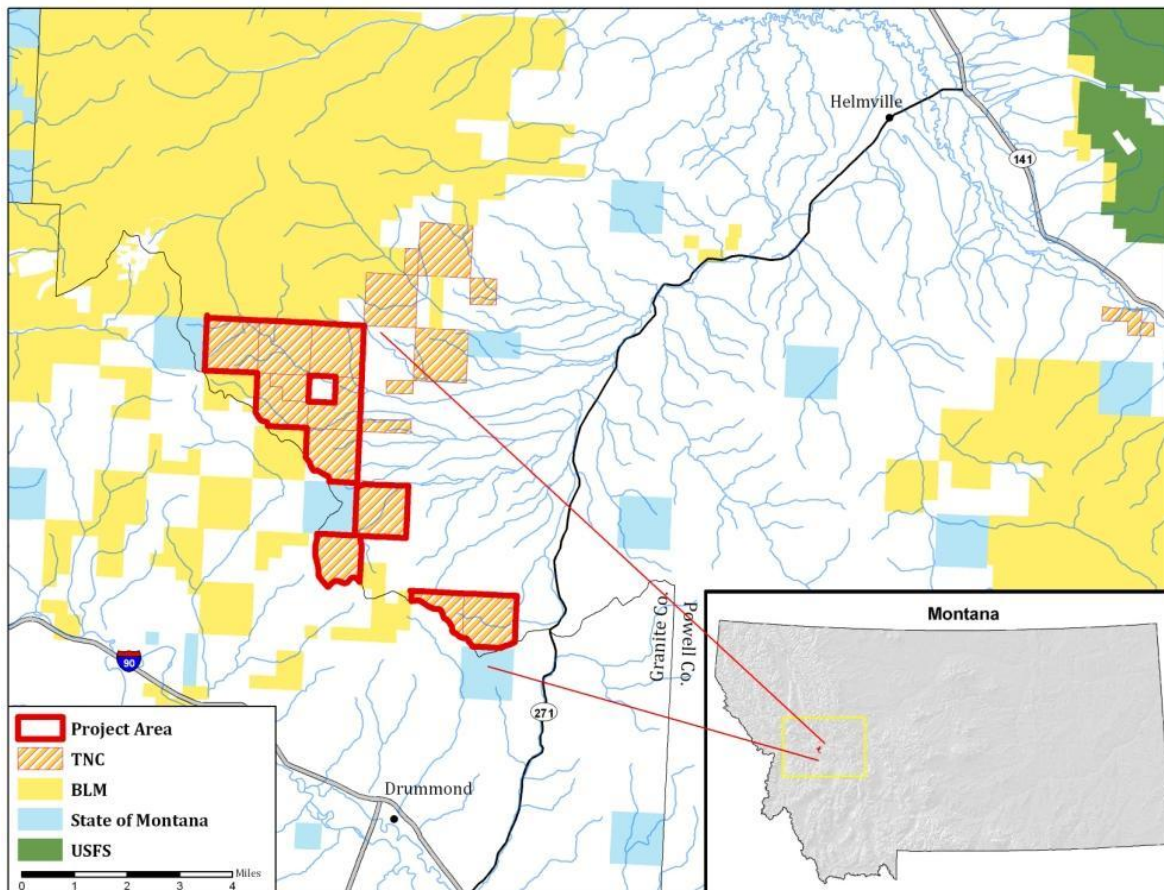


INTRODUCTION

Montana Fish, Wildlife & Parks (FWP) invites the public to comment on its proposal to acquire an interest in up to 5,551 acres of important wildlife habitat in Powell County north of Drummond. The Land is currently owned by The Nature Conservancy (TNC) who bought it from Plum Creek Timber Company in 2004 as part of the Blackfoot Challenge's 89,000-acre Blackfoot Community Project.

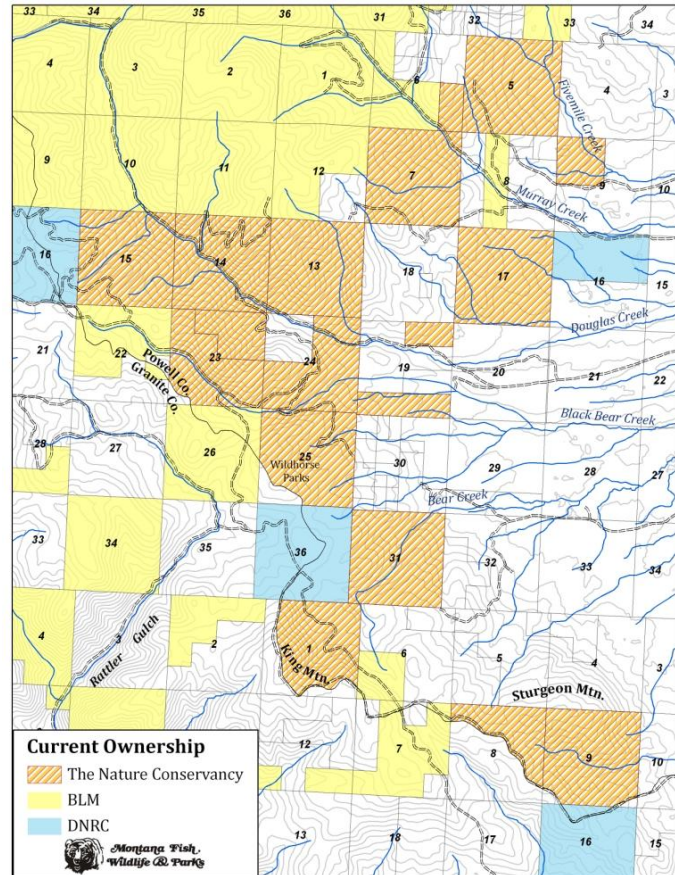
FWP began pursuing funds to help conserve the property in 2007. In 2010, FWP was awarded \$2,900,000 by the US Forest Service's Forest Legacy Program to purchase interest in both TNC and adjacent private lands between Sturgeon Mountain and Murray Creek, 4-8 miles north of Drummond (Figure 1).

Figure 1. Location of the project area in Powell County.



This proposal represents the first phase in the application of those grant funds. All lands subject to this proposal are currently owned by TNC (Figure 2). FWP is proposing to purchase a conservation easement covering 1,957-acres in the Forest Legacy Program grant area and to acquire up to another 3,594 acres in fee title to be managed as the Douglas Creek Wildlife Management Area (WMA, Figure 3). TNC has generously agreed to donate 25% of the fee title and conservation easement's 2011 appraised value to match the federal grant funding. The Forest Legacy Program grant would then provide the remaining 75% of the

Figure 2. Land ownership near the project area.

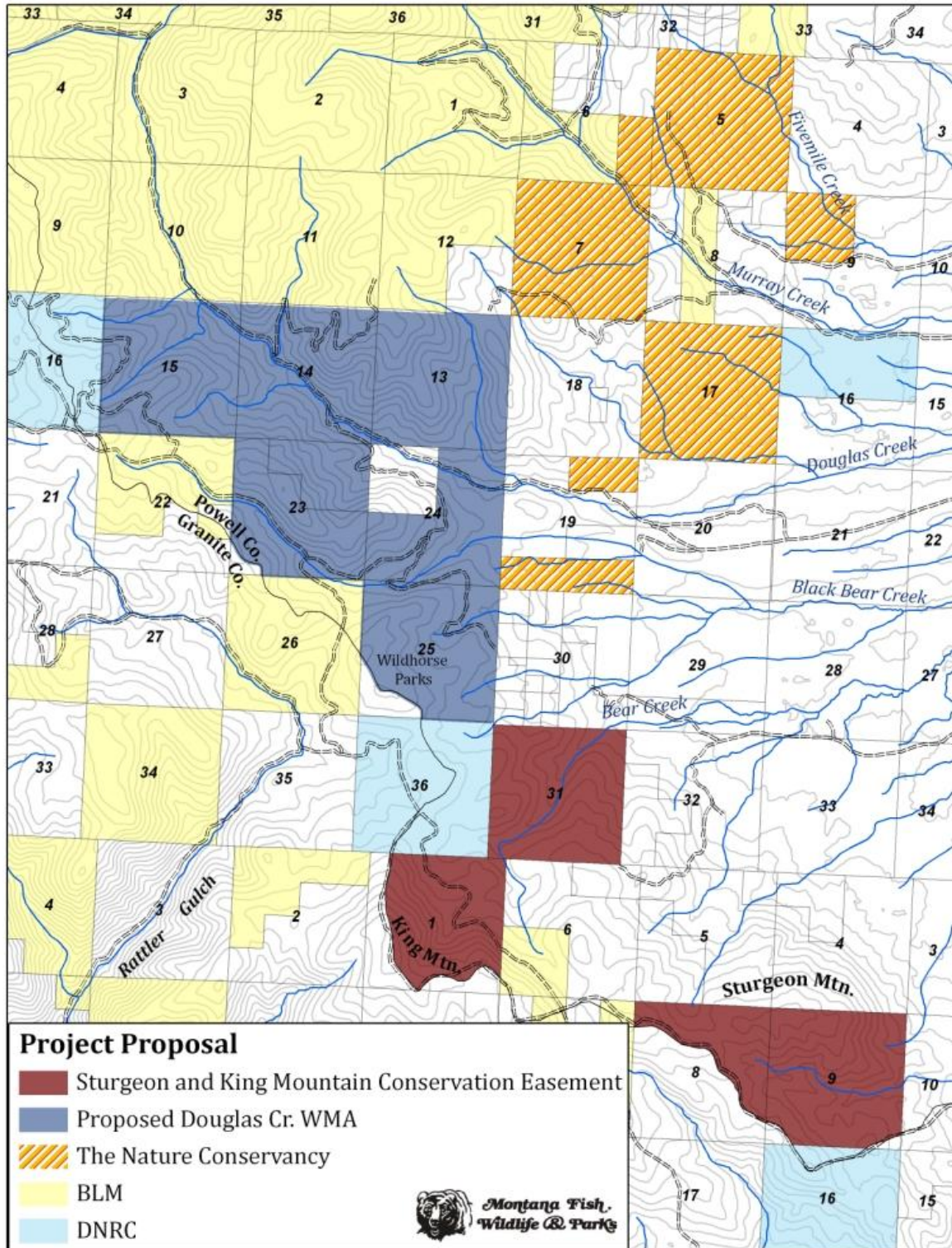


WMA's and conservation easement's appraised value. As a result it is not anticipated that FWP funds will be used in this transaction. However, in the event of any unforeseen financial circumstance (for example, a reduction of the federal grant) FWP would retain the discretion to use some of its capital funds to complete the transaction.

The purposes of the conservation easement would be to conserve wildlife habitat by preventing subdivision, development, and other forms of habitat loss; perpetuate the ranching and logging lifestyle of the private landowner who owns the land under easement; and guarantee access for public hunting. The land under easement would remain in private ownership, and would remain on the county tax rolls. Traditional uses of the land, including ranching and timber management, would continue and

generally would be unaffected by the easement. The terms of the easement would endure in perpetuity, and would be enforceable upon future owners of the property.

Figure 3. Location of fee and easement lands.



The purpose of the fee title acquisition would be to protect and enhance a large and important contiguous block of montane forested wildlife habitat; contribute to the ecological function of the larger landscape; maintain and improve public recreational access to the headwaters of Douglas and Black Bear Creeks and adjacent public lands; and maintain the land as working forest and range.

PURPOSE AND NEED FOR THE PROPOSED ACTION

Authorities/Direction

FWP is authorized by State law (87-1-209, MCA) to purchase land in fee title or conservation easements for protecting wildlife habitat. The Montana Fish, Wildlife and Parks Commission (the Commission) is the decision-making authority for matters of acquiring conservation easements or other interests in land proposed by FWP. Through its Habitat Montana Policy (ARM 12.9.508-512), the Commission has directed FWP to deliver the following services and benefits with its acquisitions of conservation easements and other interests in wildlife habitat: (a) conserve and enhance land, water and wildlife; (b) contribute to hunting and fishing opportunities; (c) provide incentives for habitat conservation on private land; (d) contribute to non-hunting recreation; (e) protect open space and scenic areas; (f) promote habitat-friendly agriculture; and (g) maintain the local tax base. Following Commission approval of a proposed project, the Montana Board of Land Commissioners (the Land Board) must approve land acquisitions, disposals or exchanges involving FWP proposals over 100 acres or \$100,000 in value.

The proposed Sturgeon and King Mountain Conservation Easement and Douglas Creek WMA acquisition is made possible by a grant from the federal Forest Legacy Program, pursuant to Section 1217 of Title XII of the Food, Agriculture, Conservation and Trade Act of 1990 (16 USC Section 2103C). The Forest Legacy Program was

created to protect environmentally important private forest lands threatened with conversion to non-forest uses. FWP is the agency that administers the Forest Legacy Program in Montana, in close cooperation with Montana's Forest Stewardship Committee.

Project Need

This proposal represents an opportunity for FWP to conserve up to 5,551 acres of important wildlife habitat, working forest, range, and public recreational access in perpetuity. This project would enact most of the land conservation strategy of the Blackfoot Challenge—including FWP as a partner—for the Murray-Douglas area of the Blackfoot Community Project. The Blackfoot Challenge initiated the Blackfoot Community Project in Fall 2002—beginning with community meetings from Helmville to Seeley Lake—as a proactive response to the progressive parceling and development of Plum Creek timberlands across the watershed. As a result, The Nature Conservancy (TNC) agreed to assume the financial risk of obtaining loans and purchasing up to 89,000 acres of Plum Creek property for the Challenge. TNC and Plum Creek closed on the first 42,000 acres of the Project in 2004, including lands subject to this proposal.

TNC's pivotal role in the Blackfoot Community Project—and as a partner in this proposed Forest Legacy project—is as the buyer and interim property holder, on behalf of the local communities. TNC relies in turn on its partners in the Blackfoot Challenge to develop and help implement a property disposition strategy by which permanent landowners may be found who will maintain the community values that were identified in the meetings of 2002, and thereafter. Among the community values at the top of the list are continued forest management, timber harvest, livestock grazing, noxious weed control, conservation of fish and wildlife habitat, and public recreational access. These values were provided for decades by the corporate timber companies, and were generally taken for granted by the neighbors and publics who benefited. This

proposal reflects the disposition strategy of the Blackfoot Challenge for Plum Creek lands in the Murray-Douglas project area. Most of the lands purchased and held by TNC as part of the Blackfoot Community Project have been protected and transferred to long term public and private land stewards—successful implementation of this proposal would nearly complete this monumental grassroots conservation initiative.

Public hunting access and continued active land management were specifically identified by the community and Blackfoot Challenge Disposition Working Group as priorities for the subject land's disposition. Sale of fee title, under conservation easement, to interested neighboring landowners was also an explicit priority. Two adjacent landowners have expressed interest in purchasing portions of the Sturgeon and King Mountain Conservation Easement lands from TNC shortly after they are encumbered with the conservation easement—these landowners support the easement's terms and offered input during its development.

FWP was identified as an appropriate purchaser of the proposed Douglas Creek WMA parcel by the Disposition Working Group and FWP managers. No adjacent private landowners expressed the interest and ability to acquire the land. All parties agreed that FWP management of this large, contiguous parcel would represent the best conservation outcome and would enable more consistent management across a larger State and federally managed landscape.

Failure to act on this opportunity could make future success in conserving these lands more difficult as public funding becomes more difficult to secure and as the land passes to succeeding owners who may have different interests. The 2010 Forest Legacy Program grant was awarded to FWP with the understanding that all the lands identified in the application would be protected by application of the funds. Montana must either use the funds for their intended purpose or revert them; FWP cannot choose to only implement a significantly smaller portion of the proposal, nor can it use the awarded funds to conserve lands not identified in the 2010 application.

The Land's wildlife-habitats, public access to them, and its continued working forest and range are clearly threatened. For example, a large and similar parcel directly adjacent to the project area has already been subdivided and developed for residential use (Section 30 in the center of Figure 3). The potential replacement of native vegetation with houses, fences, driveways, garages, barns, and other structures constitutes a direct habitat loss for native wildlife populations. Human activity associated with residential areas, including vehicle traffic and maintaining pets, would displace many species from otherwise suitable habitat within an expanded radius around the homes. Conversely, the potential introduction of garbage, bird feeders, fruit trees and other unnatural foods would likely attract deer, bears and mountain lions into nuisance situations that would not occur without rural residential development, and are difficult and expensive to mitigate or correct. Additionally, unencumbered private sale and development on the lands subject to this proposal would seriously decrease future hunting opportunities on those lands. As hunting is removed on more and more acres in a rural setting, there would be increasing potential for wildlife, particularly elk, to habituate and seek refuge in areas closed to hunting. Experience has shown that this can prevent FWP from effectively managing elk population size to keep elk numbers in balance with natural forage and to control levels of private property damage caused by elk and other wildlife.

Area Description/Wildlife Resources

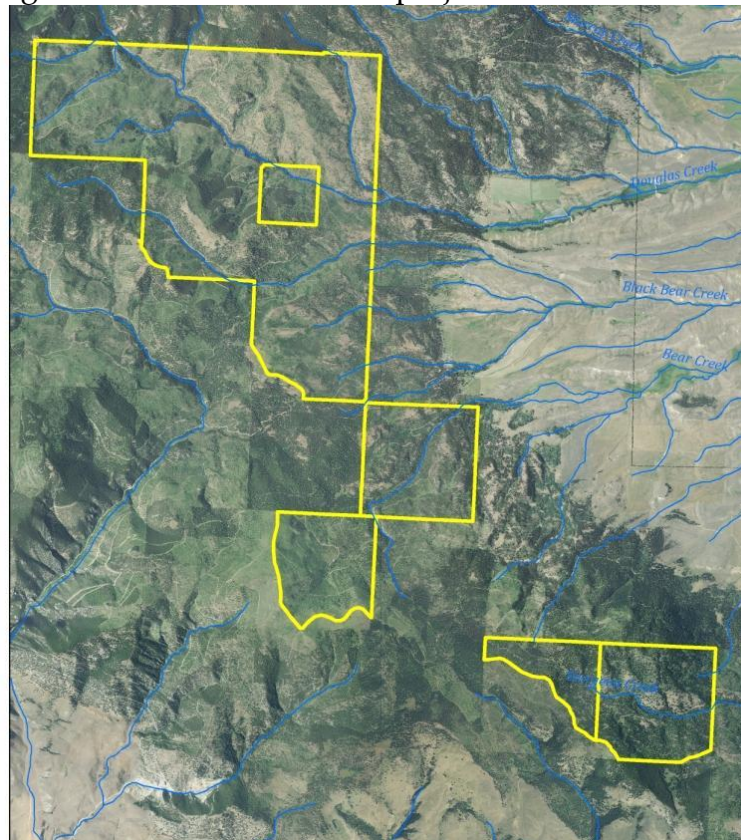
The Sturgeon and King Mountain Conservation Easement property consists of 1,957 acres, in two distinct parcels, lying at the headwaters of Bear and Sturgeon Creeks in the Blackfoot River Watershed approximately 4 miles north of Drummond (Fig 1). The Land lies primarily on the flanks of both King and Sturgeon Mountains in the Garnet Range. Elevations range from 5,000 – 6,500 feet; slope and aspect vary.

The Douglas Creek WMA parcel consists of up to 3,594 contiguous acres in the headwaters of both Black Bear and Douglas Creeks in the Blackfoot watershed approximately 6 miles north of Drummond. A single 160-acre private inholding exists within the proposed WMA. This property is bisected by the main public open road within the proposed WMA (also encumbered by a BLM road-use easement). No additional roads will need to be opened or maintained to provide the landowner access to this currently undeveloped property and Powell County zoning provisions preclude significant subdivision of the parcel. Additional nearby private land may be protected with a conservation easement through a future project phase.

The lands lie within a matrix of DNRC, Nature Conservancy, Bureau of Land Management, and private forest and ranch land in the eastern Garnet Range (Figure 3). These lands were managed for industrial timber production for decades, most recently by Plum Creek Timber Company. No timber harvest has occurred since TNC purchased the property in 2004.

The subject lands are almost completely forested (Figure 4). The most abundant conifer tree species on the property is Douglas-fir. Ponderosa pine and lodgepole pine are common while western larch and Englemann spruce occur more rarely. Aspen is the primary deciduous tree

Figure 4. Aerial view of the project area.



species present. Sites are generally dry and timber productivity and regeneration is moderate.

The forest understory vegetation includes common snowberry, pinegrass, elk sedge, heartleaf arnica, white spirea, kinnikinnick, Oregon grape, serviceberry, and twinflower. Common forest habitat types are Douglas fir/snowberry, Douglas fir/twinflower, and Douglas fir/ pine grass.

Timber harvest has significantly decreased the abundance of large diameter ponderosa pine and Douglas-fir. Current forest stands generally include open overstories of Douglas fir with understories of sapling, seedling and pole-sized Douglas-fir on moist aspects and grass on drier aspects. Ponderosa pine and lodgepole pine regeneration is present but not abundant in most areas. Bluebunch wheatgrass, rough fescue, arrowleaf balsamroot and Idaho fescue are present on dry aspects and in forest openings. Fire suppression over the last 80 years has likely reduced the overall grassland acreage. Riparian corridors occur along perennial Douglas and Black Bear Creeks. Riparian vegetation is primarily alder and sedge, with lesser amounts of willow and cottonwood. No MT State listed Plant Species of Concern are known to occur on the property.

Several species of noxious weeds occur throughout the property at various levels of infestation. Weeds are most prevalent on roadsides and on drier aspects with grassy understories and sparse forest canopy cover. The most prevalent weed species include; cheatgrass, spotted knapweed, hound's tongue, and thistles.

The project area provides important summer and fall/transitional range for the East Garnets elk herd (numbering approximately 750 animals), hundreds of mule deer, white-tailed deer, and moose. Elk, mule deer, and moose use portions of the property during winter at times and during years when snowpack is less limiting.

A portion of the East Garnet elk herd annually migrates out of the Helmville Valley to winter on the open faces between Bearmouth and Drummond. The subject

lands lie within this migratory corridor. The area is popular with big game hunters throughout the open fall seasons.

The project area provides important habitat and hunting opportunity for other big game species including moose, black bear, wolf, and mountain lion. Bobcat, pine marten, mountain grouse, raptors, and dozens of passerine bird species are also common.

The project area does not include high quality Canada lynx habitat nor would production of lynx habitat be a reasonable management objective. That said, one of the southernmost, naturally occurring populations of Canada lynx in the American west occurs directly adjacent to project lands (in the higher elevation areas of the Garnet mountains) and the project area contributes to the function of a putative north/south movement and dispersal corridor.

Grizzly bear presence on and around the subject property has increased in recent years as the extent of the bear's range continues to expand south. Today, grizzly sightings on or near the subject land are common.

Douglas Creek supports a native resident westslope cutthroat trout population. Both Douglas Cr. and Black Bear Cr. contribute to the overall health and function of the Blackfoot River by affecting sediment load and water temperature. Both creeks are significantly dewatered downstream of the subject property. FWP has ranked both creeks as being moderate restoration priorities.

DESCRIPTION OF THE PROPOSED ACTION

FWP proposes to purchase a 1,957 acre conservation easement and up to 3,594 acres in fee-title from The Nature Conservancy in the east Garnet Mountains within Powell Co. north of Drummond. Using funds from the \$2.0 million federal Forest Legacy Program grant, FWP would pay approximately \$604,000 for the Sturgeon and King Mountain Conservation Easement and approximately \$1.6 million for the 3,594 acres

that will comprise the Douglas Creek Wildlife Management Area. These amounts represent 75% of the respective appraised values of the conservation easement interest and the fee-title land to be acquired by FWP. The Nature Conservancy will donate the remaining 25% of both the easement and fee-title land's value to satisfy the Forest Legacy Programs's matching fund requirement. FWP will work with TNC to execute any assignments and/or reservations of road easements, as appropriate to provide needed rights of access to the respective parties.

If this proposal is approved, FWP would purchase both the Conservation Easement and fee-title acreage by the end of December 2011.

The Sturgeon and King Mountain Conservation Easement

Management of the land under conservation easement would be under the discretion of the landowner(s), provided, however, that all management actions must comply and be consistent with the agreed terms of the Conservation Easement. The Conservation Easement restricts or guides several significant land management activities, as follows:

Subdivision and Development

The landowner may not construct permanent structures on the Land without prior approval from FWP. The land may not be subdivided, except that fee title to Section 1 may be sold separately from the remainder of the land, and the remaining portion of the Land may be split (conveyed to separate owners) one additional time. Also, any transfer of land to a public agency would not count as a subdivision for the purposes of the Conservation Easement. The result of these restrictions is that the 1,917 acres subject to the conservation easement may not be held in more than 3 separate private ownerships. Utility and energy generation improvements, habitat improvement activities, and road building may occur with the Prior Approval of FWP.

Forest Management

A Forest Stewardship Plan (Northwest Management, Inc., 2011) has been prepared for the lands proposed for conservation easement purchase. This Plan is intended to both provide a description of forest stand types on the property and a range of appropriate management prescriptions for those forest resources. The landowner retains the right, and is in fact encouraged, to actively manage forested habitat on the property consistent with the Conservation Easement's stated conservation values and the Forest Stewardship Plan. Any management activity that produces material sold or otherwise transferred off the property would require prior FWP notice and approval to ensure compliance with the Easement and Forest Stewardship Plan. The landowner will prepare a Forest Management Plan describing the anticipated activity for FWP review and approval. We anticipate updating the Forest Stewardship Plan periodically and in collaboration with the landowner to account for forest succession and other significant changes to existing forest stand condition.

Grazing Management

The landowner may graze livestock on the property after developing and while following a FWP-approved Grazing Management Plan. If and when the landowner(s) wishes to graze livestock on the property, a Plan will be developed cooperatively with FWP and appended to the Sturgeon and King Mountain Conservation Easement Resource Management Plan (Appendix A); an example of Standards for Grazing Livestock are included as Exhibit C of the Conservation Easement.

Public Recreational Access

The Conservation Easement requires that the landowner(s) provide recreational hunting access during seasons and for species (and sexes of species) legal to hunt under that year's FWP Commission-adopted regulations. The Conservation Easement does *not* require the landowner to grant access by any but non-motorized, non-mechanical means. The landowner(s) must allow public hunters to enter the Land during open hunting seasons, but only from adjacent public lands or publically-accessible roads.

The landowner may choose to allow individuals motorized access to the property and may deny access to anyone who is not conducting, or has not in the past conducted, herself or himself in a prudent, responsible, and safe manner.

FWP will work with landowner(s) subsequent to TNC to develop a Recreation Access Plan to help manage public use of the property. This Plan may direct the designation of parking areas, posting signs, developing and maintaining road closure structures, etc. FWP will contribute material and manpower toward the development and implementation of these Access Plans.

Other Restricted Activities

The landowner may not, without Prior Approval or as otherwise provided for in the Conservation Easement, significantly manipulate native vegetation; transfer, sell, or lease water rights; degrade wetland or riparian areas; conduct exploratory or extractive surface mining; operate a feed lot; install utilities; construct permanent structures; introduce non-native plants; operate an alternative livestock ranch, fur farm, shooting preserve, zoo, or other facility that holds or propagates native or non-native animals; rent or lease the land for recreational purpose (including outfitting) or charging trespass fees; use the land for commercial or industrial use apart from forest management and livestock grazing.

Noxious Weed Management

The Forest Stewardship Plan provides basic information on the distribution and treatment of weeds on the property. Weed management on the conservation easement property is the landowner's responsibility.

The Douglas Creek WMA Acquisition

FWP currently manages more than 75 Wildlife Management Areas throughout the State to protect important wildlife habitat and to provide public recreational access. The proposed Douglas Creek WMA would be managed by FWP to permanently protect

and restore important native wildlife habitat; to provide perpetual public access to lands with high and diverse recreation value; and to maintain the land as working forest and range. Should the WMA be acquired by FWP, as proposed, it would become an integral part of a largely protected and accessible landscape managed by State, federal, and conservation-minded landowners; the WMA would enhance the overall function, integrity, and management of this larger landscape.

Forest Management

FWP recognizes the need to actively manage the forested wildlife habitat it owns. FWP has the tools and authority it needs to manage large scale forest management projects. FWP will consider fire risk mitigation, forest health, and wildlife habitat enhancement needs in making forest management decisions. The 2011 MT Legislature has directed FWP to conduct an inventory of its forested habitat; this and other efforts will continue to inform management.

Grazing Management

FWP routinely enters into Cooperative Habitat Management Agreements and structured grazing systems with landowners who adjoin WMAs. These agreements and leases provide for grazing treatments and periodic yearlong rest from livestock grazing on the private and FWP properties for the enhancement of big game forage (typically) across the broader landscape. FWP would not begin its ownership of the Douglas Cr. WMA under any such obligation, but would be open to exploring proposals to graze the property if they would meet resource objectives in the future.

Public Recreational Access

Douglas Creek WMA will be open to public use year round for wheeled motorized travel on open roads, snowmobiling, hunting, camping, hiking, horseback riding, mountain bicycling, firewood cutting and general enjoyment. The open road system will initially be similar to that existing at time of purchase and FWP does not anticipate the need to further restrict wheeled motorized routes. Hunting opportunity

will be managed consistent with that in the surrounding hunting districts (i.e. deer/elk HDs 292 and 298); no Douglas Creek WMA-specific hunting regulations are anticipated.

Noxious Weed Management

FWP maintains an active noxious weed control program on all lands that it manages. FWP will coordinate with Powell Co. to develop an integrated noxious weed management plan during the spring and summer of 2012. FWP will treat spotted knapweed infestations along roadsides and continue biocontrol releases (initiated by TNC) to manage more widespread knapweed infestations. Hound's tongue will also be treated along roadsides and in other accessible areas to help prevent further spread. New invaders will be treated aggressively when detected.

ALTERNATIVES TO THE PROPOSED ACTION

Alternative A—No Action

FWP considered the alternative of taking no action. This would leave a full range of future management options for the subject lands, including development options, in the hands of current and future owners of the property. FWP would retain the option to comment on proposed land subdivisions and developments on the subject lands under existing laws and policies in Powell County; however, the effects of FWP's input on any future proposed subdivision are uncertain. Public access for hunting on the Land would remain at the discretion of current and future landowners. FWP would revert the \$2,900,000 2010 Forest Legacy Program grant; these granted funds cannot be obligated to any project or use except for that described in the successful application.

Alternatives Considered but Dropped from Further Consideration

FWP considered the possibility of purchasing either the Conservation Easement or fee-title portions of the proposal, but not both. Forest Legacy Program rules state that the applicant must make a good faith effort to conserve at least the number of acres

proposed in the successful application. Intentionally conserving only a fraction of the acres identified in the Forest Legacy grant is not an option under Program rules. Such a decision would be materially equivalent to Alternative A (No Action) and the awarded funds would revert to the Forest Legacy Program.

Purchasing a conservation easement on the land proposed for fee-title acquisition is not currently an option. The Blackfoot Challenge, TNC, and others actively solicited interest from adjacent landowners in acquiring the property and none were either interested or able to do so. Similarly, FWP was not interested in acquiring the two disjunct parcels proposed for conservation easement purchase.

IMPACTS

Neither the Proposed Action nor Alternative A would have any effect on the following concerns:

Solid/hazardous wastes	Water rights
Wild and scenic rivers	Floodplains

Wildlife Populations and Use Currently Associated with the Property

Threatened and Endangered Species: Grizzly bears, a threatened species, are increasingly common on the subject property. Under the Proposed Action, the land would be expressly managed for wildlife benefit—residential subdivision and its concomitant food attractants (which inevitably lead to human conflicts and lethal removal of grizzlies) would be prohibited. Canada lynx are not known to use the subject lands nor is high quality habitat for the species present or possible there. The project area does lie near important lynx habitat in high elevation areas of the Garnet Mountains and lies within a putative corridor lynx and other species could use to disperse from the Garnets to areas south and east. Bull trout do not occur on project lands. FWP management of the proposed WMA would encourage continued

revegetation of Douglas and Black Bear Creek riparian zones, and FWP would address sediment delivery sources on the property over time—both these actions may benefit downstream populations of bull trout and other native fish.

In all cases, the proposed action would be expected to benefit threatened and endangered wildlife in the long run by maintaining native plant communities and preventing residential or other land developments. The Proposed Action would not introduce any land use or activity that would be detrimental to these species.

No other federally listed threatened or endangered species are known or expected to occur on or within the affected area of the proposed action.

Sensitive Species: The proposed action offers protection from habitat loss for sensitive and other native plant and animal species collectively, while the no-action alternative does not.

Big Game Species: The proposed action would maintain existing land uses and prevent changes in land use that would affect wildlife populations. Alternative A (No Action) would leave an important portion of the habitat and local wildlife populations vulnerable to the management decisions of future private landowners who might not consider objectives that feature wildlife or the general public interest in wildlife. Changes in management direction, such as subdivision and sale of residential lots for development, would negatively impact native wildlife through direct removal of natural habitat on homesites, along roadways, and elsewhere within the daily use area of people and pets. Indirect effects include disturbance of wildlife across a wider area around homes due to an increase in human recreational activity. Wildlife species diversity would be expected to decline as species associated with human residential areas increase and species sensitive to disturbance are displaced. Elk and deer would likely be displaced onto adjacent private lands, increasing the currently high amount of game damage on private property and costs to FWP of addressing these issues. The introduction of dog food, garbage, bird feeders, pets and other attractants in this

presently remote habitat would probably attract black bears, mountain lions and potentially grizzly bears to residences, ultimately increasing mortality in these species as they become viewed as pests. The proposed action would prevent these and other forms of wildlife habitat loss on the subject lands.

The proposed action would ensure perpetual public hunting access to the Conservation Easement and full, year round, public recreational access to the proposed WMA. Alternative A (No-Action) would allow a future landowner(s) to close the land to public hunting, which would result in a loss of valued access to remote, natural habitat. It might also lead to a reduced opportunity for effective elk harvest, which would exacerbate current game damage problems on private lands in the Helmville area.

Potential Value of the Land for Protection, Preservation and Propagation of Wildlife

The proposed action would serve to maintain future management options for protecting, preserving and propagating wildlife by preserving in perpetuity the natural habitat required at the landscape scale to support wildlife populations and communities, and by prohibiting competing land uses and developments that would diminish habitat quality. Alternative A (No Action) would allow the possibility of future land subdivisions, developments and substantial changes in land use and habitat quality that would severely limit and diminish options for protecting and managing wildlife populations for the public benefit.

Management Goals Proposed for the Land and Wildlife Populations, and Any Additional Uses of the Land Such as Livestock Grazing or Timber Harvest

Management goals and strategies for the proposed WMA and Conservation Easement, including wildlife populations, timber harvest, livestock grazing, and noxious weeds are detailed in the draft management plans (Appendix A & B). On the

Conservation Easement, forest management and livestock grazing would be conducted in accordance with the Forest Stewardship Plan, and the Forest Management Plan and Grazing Management Plan after approval by FWP. On the WMA, FWP's rules and mission would ensure that forest management and grazing is conducted to benefit wildlife.

Potential Impacts to Adjacent Private Land Resulting from the Proposed Action

The Proposed Action may directly benefit several adjacent landowners by allowing them to purchase lands under Conservation Easement at a significant discount (because these lands can no longer be used for subdivision/residential development), thus blocking up their current ownership. The Proposed Action could influence other landowners bordering the Conservation Easement via long-term impacts on property values. Property values on lands bordering the conservation easement may increase because the easement lands will remain dominated by open space. Otherwise, the general effects of this proposal, as felt by neighbors Conservation Easement and WMA on a day-to-day basis, would be status quo. FWP would continue to attempt to control elk population size (by hunting) to match available natural habitat and minimize damage to private crops and fences. The no-action alternative would allow the possibility of dramatic changes in land use on the subject property in the future, which could change the character of the local community.

Potential Social and Economic Impacts to Affected Local Governments and the State

A draft socio-economic assessment is attached. The Proposed Action would not immediately affect the County or State tax base. Over the long run, Alternative A (No Action) would allow greater potential residential and commercial growth in this rural area. This possible future growth would be accompanied by higher demand for utilities, roads, schools and other services that would have to be partially or wholly

provided by state and local governments. As developments achieved their potential growth limits under Alternative A, the recreational and economic benefits generated by the existence of abundant and diverse wildlife and natural landscapes in the local area would be diminished. Conversely, the Proposed Action would restrict future residential and commercial developments on the subject lands, in a location that would allow wildlife to continue to flourish, and in a rural setting where wildlife populations may be managed effectively.

Land Maintenance Program to Control Weeds and Maintain Roads and Fences

Under the proposed action, the land under Conservation Easement would remain in private ownership; responsibility for weed management and road maintenance would lie with the landowner(s). The Forest Stewardship Plan provides the landowner(s) clear noxious weed control and road maintenance guidance; both weed management and roads would be addressed in any approved Forest Management Plans. FWP maintains an extensive weed control program and employs staff and contractors to implement it. Road and fence management are also the responsibility of FWP on land it owns. Fifty percent of FWP's Habitat Montana program budget is earmarked for Operations and Maintenance. Similarly, in 2009 the MT Legislature passed SB164, or "Good Neighbor" bill, which requires the equivalent of 20% of (up to \$300,000) a fee-title acquisition's purchase price, be set aside in an account to be used for operations and maintenance of FWP-owned properties. The Douglas Creek WMA acquisition would generate these funds to help pay for noxious weed treatments, fence and road maintenance, and other WMA operations.

Air and Water Quality

The proposed action would likely result in a net reduction in potential future risks to air and water quality on the subject lands, compared to no action. Possibilities

for residential, commercial, and industrial developments would be reduced and restricted across the subject land. Such developments, which would remain a possibility under the no-action alternative, would have the potential for affecting air and water quality in numerous ways. For example, increased roading and traffic on roads to service housing or commercial developments could increase runoff from road surfaces into Blackfoot River tributaries. Timber harvest activities on both the Conservation Easement and WMA would be conducted under FWP supervision so that water quality would be protected—almost certainly more so than minimum protections currently afforded by State law.

Wetlands and Riparian Habitats

Under the proposed action, riparian habitat would be included among the conservation values of the land to be protected from further damage. Implementation of FWP Grazing Management Plans and/or leases implemented on the proposed WMA would be expected to improve streambank and riparian vegetation conditions in the long run. The no-action alternative offers no protection for riparian areas on the proposed project area.

Livestock grazing

Livestock grazing on the Conservation Easement would be subject to a FWP-approved and monitored Grazing Management Plan. Grazing on the proposed WMA would be by FWP-controlled lease only. Livestock grazing would be unrestricted under the no-action alternative.

Historic and Cultural Resources

The proposed action would not cause a change in land use, so would not affect cultural sites. Potential developments allowable under the no-action alternative would leave cultural resources at risk.

Cumulative Impacts

Alternative A (No Action) could ultimately contribute to the cumulative regional and local loss of wildlife habitat and public access if the subject lands are eventually managed in a manner incompatible with these values. Further, no-action could ultimately contribute slightly to the cumulative regional and local loss of grazing land for the livestock industry, and an increasing cumulative demand for services provided by local county and state governments to new residences. The proposed action would benefit adjacent public and private landowners by ensuring management of the Conservation Easement and proposed WMA are generally consistent with current private, TNC, DNRC, and BLM land and public- access management.

PUBLIC INVOLVEMENT

Formal public review of the draft environmental assessment (EA) for the proposed Sturgeon and King Mountain Conservation Easement, including a draft socio-economic assessment (Appendix C) and management plans (Appendix A & B), will begin with the availability of these documents on September 14, 2011 and will close on October 13, 2011. The availability of this EA for public review will be advertised in the local, Missoula-area, and statewide media, and a copy of the draft EA will be mailed to adjacent landowners and all parties who indicate an interest in this proposal. A public hearing will be held at the Drummond Community Center on October 4, 2011 at 7:00 P.M. FWP will also present the proposal to the Powell Co. Planning Board at its regular meeting at the Deer Lodge Community Center on October 6, 2011 at 1:00 P.M. After

reviewing public input received on or before October 13, 2001, FWP will decide upon a preferred alternative. The Fish, Wildlife and Parks Commission will be asked to render a final decision on this proposal at its regularly scheduled meeting on November 10, 2011. The project will be submitted to the State Board of Land Commissioners for final consideration at its first monthly meeting following an approval by the Fish, Wildlife & Parks Commission.

Comments should be addressed to Sharon Rose; Montana Fish, Wildlife & Parks; 3201 Spurgin Road; Missoula, MT 59804 (phone 406-542-5540; email *shrose@mt.gov*). Comments must be received by FWP no later than 5:00 pm on October 14th to ensure their consideration in the decision-making process.

AGENCIES, GROUPS OR OTHERS CONSULTED IN PREPARATION OF THE EA

Montana Fish, Wildlife & Parks

Hugh Zackheim, Land Section Supervisor
Candace Durran, Land Agent, Helena
Rebecca Jakes-Dockter, Legal Counsel, Helena
Steve Knapp, Habitat Bureau Chief (ret.), Wildlife Division, Helena
Mike Frisina, Range Coordinator, Butte
Ken McDonald, Wildlife Division Administrator, Helena
Ron Pierce, Fisheries Biologist, Missoula
Mack Long, Regional Supervisor, Missoula

The Nature Conservancy

Bee Hall, Helena
Caroline Byrd, Missoula

Blackfoot Challenge

Hank Goetz, Lands Director, Ovando

U. S. Fish and Wildlife Service

Greg Neudecker, Wildlife Biologist, Ovando
Kevin Ertl, Wildlife Biologist, H2-O WPA, Helmville

Northwest Management, Inc.

Gary Ellingston, Forester, Helena

PERSONS RESPONSIBLE FOR PREPARING THE EA

Montana Fish, Wildlife & Parks, Region 2
Jay Kolbe, Wildlife Biologist, Seeley Lake

NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT

Based on an evaluation of impacts to the physical and human environment, under MEPA, the proposed action is not a significant action affecting the human environment; therefore, an environmental impact statement is not a necessary level of review.